



Ultimate Outdoor Adventures LLP
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Bismarck, North Dakota
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John Arman
Television Host
Owner/Manager
Executive Producer

September 2007

Received & Inspected

JUL 05 2012

FCC Mail Room

CASE IDENTIFIER CGB-CC-0738

In the Matter Of:

Ultimate Outdoor Adventures, LLP
For Exemption from the Closed Captioning Requirements
Section 79.1 of the Commission's Rules

Attn: Consumer and Governmental Affairs Bureau,
Disabilities Rights Office Federal Communications Commission

UPDATE FOR PETITION FOR EXEMPTION

Ultimate Outdoor Adventures, LLP ("UOA"), by its owner John Arman, hereby reverently requests an exemption from the closed captioning requirements of Section 79.1 of the Commissions Rule's and Regulations. In support thereof, it is alleged:

I. PRELIMINARY STATEMENT

Ultimate Outdoor Adventures, LLP is an independently owned operation. But, what makes this operation different than many larger programs is that I am also a "Full-Time" Special Education Teacher within the Bismarck Public School District; therefore, I have limited time to put forth towards programming/editing. UOA consists of one owner and (2) partners who "do not" receive any monetary compensation for there assistance, and they too have other full-time jobs; one is a full-time taxidermist and the other is a full-time 6th grade teacher. UOA produces a weekly television program, October through March, thirty-minutes in length titled, "Ultimate Outdoor Adventures TV." Currently, one television station is carrying "Ultimate Outdoor Adventures TV."

II. REASONS FOR EXEMPTIONS

Section 713(e) states that:

The term "undue burden" means significant difficulty or expense. In determining whether The closed captions necessary to comply with the requirements of this paragraph would result in an undue economic burden, the factors to be considered include --

(2) The impact on the operation of the provider or program owner;

UOA is a "very" small operation with one owner, and two partners who "Do Not" receive monetary compensation and are not on any type of payroll. And, due to the fact that I have a full-time teaching position within the Bismarck Public School District, and my partners also have full-time jobs, I/we cannot handle the paperwork, shipping/transportation, arrangements with the dubbing company, and other miscellaneous burdens associated with closed captioning in a timely enough fashion to continue our show. At the present time I have to edit two different shows for two different airing in our state. Even though the cost would not affect us the process of sending off the shows would greatly affect our capability of producing the show.

We are an all in house production with no outside assistance or paid help. It is my sole responsibility to edit our complete show. I do this after working a fifty hour work week. Between my family, work and other obligation we are often up against the clock when editing our show. Too often I'm having to over night or hand delivering our finished product to the Broadcast station. It is my fear that I would not be able to full fill our obligation and continue our show. It is my understanding this exception rule is in place to help the little guys like us who have no other option. Working in the Special Education field my entire life I understand better than most about giving others with disabilities the same opportunity of those without. In the years we have produced the show we have not received one request or complaint from anyone. If we were ever to receive a request I would take the time to somehow CC a DVD of our show for those individuals.

III. Conclusion

I am confident that I have provided enough data that supports the fact that UOA is a very small business, owned by one individual who is also a full-time Special Education Teacher within the Bismarck Public School District, but trying to use minimal time and opportunities to provide an educational and entertaining program within an already saturated market. Due to my full-time teaching commitment, allowing for minimal time to film/edit, many programs are given to the television station and broadcast within a few days of the actual airing; obviously, this would not be possible if closed captioning was required. I have also shown that because of the "non-unique" nature of the program (hunting and fishing) offered by UOA, there are numerous other similar programs broadcast most every hour whose annual income and large production staff can/do provide closed captioning.

Therefore, I am confident that I have verified compliance with all the factors specified in 79.1(f) of the Commission's Rules and Regulations. Accordingly, Ultimate Outdoor Adventures LLP should be issued an exemption from the closed captioning requirements.

Respectfully Submitted,
Ultimate Outdoor Adventures, LLP



6/19/2012